

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To exempt from the discovery limitations parties that have filed no prior patent infringement actions.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S. 1137**

To amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COONS

Viz:

1       On page 18, strike lines 1 through 3 and insert the  
2 following:

3           “(2) EXEMPTIONS.—This section shall not  
4 apply to a civil action that—

5           “(A) includes a claim for relief arising  
6 under section 271(e); or

7           “(B)(i) is brought by a party that has  
8 never previously brought a civil action alleging  
9 infringement of any patent; and

1                   “(ii) alleges infringement of a patent that  
2                   has never been the subject of litigation in any  
3                   previous civil action.